

GNMA issuers or custodians of 12 U.S.C. 1723i(b) (1)(G) or (1)(I), a copy of the complaint shall be provided to the Attorney General.

#### **§ 30.90 Response to the complaint.**

(a) *General.* The respondent may submit to HUD a written response to the complaint within 15 days of its receipt. The response shall be considered a request for a hearing. The response should include the admission or denial of each allegation of liability made in the complaint; any defense on which the respondent intends to rely; any reasons why the civil money penalty is not warranted or should be less than the amount sought in the complaint; and the name, address, and telephone number of the person who will act as the respondent's representative, if any.

(b) *Filing with the administrative law judges.* HUD shall file the complaint and response with the Chief Docket Clerk, Office of Administrative Law Judges, in accordance with § 26.37 of this title. If no response is submitted, then HUD may file a motion for default judgment, together with a copy of the complaint, in accordance with § 26.39 of this title.

#### **§ 30.95 Hearings.**

Hearings under this part shall be conducted in accordance with the procedures at 24 CFR part 26, subpart B.

#### **§ 30.100 Settlements.**

The officials listed at subpart B of this part, or their designees (or the Mortgagee Review Board for violations under § 30.35), are authorized to enter into settlement agreements of civil money penalty claims. Settlement agreements may be executed at any time prior to the issuing of a notice of final determination under § 26.50 of this title, and may include sanctions for failure to comply with the terms of the agreement.

## **PART 35—LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES**

### **Subpart A—Disclosure of Known Lead-Based Paint Hazards Upon Sale or Lease of Residential Property**

- Sec.  
 35.80 Purpose.  
 35.82 Scope and applicability.  
 35.84 Effective dates.  
 35.86 Definitions.  
 35.88 Disclosure requirements for sellers and lessors.  
 35.90 Opportunity to conduct an evaluation.  
 35.92 Certification and acknowledgment of disclosure.  
 35.94 Agent responsibilities.  
 35.96 Enforcement.  
 35.98 Impact on State and local requirements.

### **Subpart B—General Lead-Based Paint Requirements and Definitions for All Programs**

- 35.100 Purpose and applicability.  
 35.105 Effective dates.  
 35.106 Information collection requirements.  
 35.110 Definitions.  
 35.115 Exemptions.  
 35.120 Options.  
 35.125 Notice of evaluation and hazard reduction activities.  
 35.130 Lead hazard information pamphlet.  
 35.135 Use of paint containing lead.  
 35.140 Prohibited methods of paint removal.  
 35.145 Compliance with Federal laws and authorities.  
 35.150 Compliance with other State, tribal, and local laws.  
 35.155 Minimum requirements.  
 35.160 Waivers.  
 35.165 Prior evaluation or hazard reduction.  
 35.170 Noncompliance with the requirements of subparts B through R.  
 35.175 Records.

### **Subpart C—Disposition of Residential Property Owned by a Federal Agency Other Than HUD**

- 35.200 Purpose and applicability.  
 35.205 Definitions and other general requirements.  
 35.210 Disposition of residential property constructed before 1960.  
 35.215 Disposition of residential property constructed after 1959 and before 1978.

### **Subpart D—Project-Based Assistance Provided by a Federal Agency Other Than HUD**

- 35.300 Purpose and applicability.